IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

Bail Appl..No. 6575 of 2007()

C.R.NO. 70/07 OF KONNI EXCISE RANGE

PETITIONER/ACCUSED

VASUKUTTAN, AGED 34 YEARS,
S/O.MADHAVAN, KAVINTENTARIKATHU VEEDU,
VAZHAMUTTAM, VALLICODE VILLAGE,
KOZHENCHERRY TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT/STATE

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1. THE EXCISE INSPECTOR,
KONNI EXCISE RANGE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6575 of 2007

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Dated this the 26th day of October, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 5 litres of arrack on 18.10.2007. He was arrested and continues in custody from that date. The petitioner has one earlier crime registered under the Kerala Abkari Act against him, submits the learned Prosecutor. The learned Prosecutor, after taking instructions, confirms that the petitioner's father has breathed his last on 23.10.2007, after the arrest of the petitioner.

2. The learned counsel for the petitioner prays, the learned Prosecutor, in the peculiar facts and circumstances of this case, does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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